

RAVERT PLLC

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Special Litigation Counsel for Debtors and Debtors In Possession

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:) Chapter 11
)
26 BOWERY LLC and) Case No.: 22-10412 (MG) and
2 BOWERY HOLDING LLC,) 22-10413 (MG)
)
Debtor In Possession.) (Jointly Administered)
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**FEE STATEMENT OF RAVERT PLLC FOR COMPENSATION FOR SERVICES
AND REIMBURSEMENT OF EXPENSES AS SPECIAL LITIGATION COUNSEL FOR
THE DEBTORS FOR THE PERIOD FROM JULY 1, 2023 TO JULY 31, 2023**

Name of Applicant:	Ravert PLLC
Retained to Provide Professional Services to:	26 Bowery LLC (“26 Bowery”) and 2 Bowery Holdings LLC (“2 Bowery”)
Date of Retention:	August 29, 2022 [ECF No. 93], Effective August 5, 2022
Period for Which Compensation and Expense Reimbursement is Sought:	July 1, 2023 through July 31, 2023
Amount of Compensation Sought as Actual, Reasonable and Necessary	26 Bowery: \$13,617.00 2 Bowery: \$11,241.00
Amount of Expense Reimbursement Sought as Actual, Reasonable and Necessary	26 Bowery: \$1,518.04 2 Bowery: \$1,987.27

This statement is the fee statement (“Fee Statement”) of Ravert PLLC, special litigation counsel to 26 Bowery and 2 Bowery (together, “Debtors”) for July 1, 2023 through July 31, 2023, filed with this Court pursuant to the *Order Establishing Procedures for Monthly and Interim Compensation and Reimbursement of Expenses of Professionals* (ECF Doc. 67) (“Monthly Compensation Order”). Ravert PLLC hereby requests: (a) compensation as allowed by the Monthly Compensation Order in the amount of (i) \$13,617.00 from 26 Bowery and \$11,241.00 from 2 Bowery for the period of July 1, 2023 through July 31, 2023 (“Fee Period”); and (b) reimbursement of actual and necessary costs and expenses as allowed in the Monthly Compensation Order in the amount of (i) \$1,518.04 from 26 Bowery and (ii) \$1,987.27 from 2 Bowery incurred by Ravert PLLC during the Fee Period in connection with these cases for a total of \$24,858.00 in fees and \$3,505.31 in total expenses of which Ravert PLLC seeks actual payment of \$19,886.40 in aggregate fees (representing 80% of aggregate fees of \$24,858.00 and \$3,505.31 in aggregate expenses. Attached as Exhibit A and B hereto are, for 26 Bowery and 2 Bowery, respectively, redacted as necessary, contemporaneously maintained time entries for each professional who provided services during the Fee Period in increments of tenths (1/10) of an hour, which includes an itemization and description of the costs and expenses incurred by Ravert PLLC during the Fee Period.

Division of Time

Where a discreet service is rendered for only one Debtor, that time is reflected in the time records of that specific Debtor. In many cases the services benefit each Debtor equally in which case the time is simply divided equally between the Debtors. A common example of this is strategy conferences, the contempt hearing, single motions affecting both Debtors equally like the contempt motion, order and judgment entry, drafting letters that address occupants in both buildings and other similar communications which make up a significant portion of the services

rendered.

Further, included within this Fee Statement is a statement of the total time spent by individual professionals, setting forth the name of each individual who provided services during the Fee Period, their respective billing rates, and the aggregate hours expended by each individual.

Pursuant to Ravert PLLC's customary billing practices, professionals, paraprofessionals and/or staff members maintain records of their billed time for services rendered in connection with the Debtors' chapter 11 cases. Thereafter, the aggregate time billed by each professional, paraprofessional and/or staff member is multiplied by their respective billing rates. The disbursements consist of an itemized list all expenses actually incurred by Ravert PLLC in connection with its representation of the Debtors including for this period, including postage and delivery charges and other expenses incurred as a result of Ravert PLLC's representation of the Debtors. There may be disbursements that were incurred during the Fee Period that are not reflected in this Fee Statement or are out of sync with the time period of this Fee Statement, but will appear in another monthly fee statement because of timing of posting of disbursements, particularly those relating to third-party vendors.

Notice and Objection Deadline

Pursuant to the Monthly Compensation Order, Ravert PLLC has filed and served this Fee Statement by email delivery to: (a) counsel to the Debtors, Leech Tishman Robinson Brog PLLC, Attn: Fred B. Ringel, 875 Third Avenue, 9th Floor, New York, New York 10022; and overnight delivery to (b) counsel to Double Bowery Funding LLC, Morrison Cohen LLP, 909 Third Avenue, 27th Floor, New York, New York 10022, Attn: Joseph T. Moldovan; and (c) the United States Trustee, U.S. Federal Office Building, 201 Varick Street, Suite 1006, New York, New York 10014, Attn: Greg Zipes (collectively, (a)-(c) are referred to as "Notice Parties"). The

Notice Parties will have fourteen (14) days after receipt of a Monthly Fee Statement (“Objection Deadline”) to review the Fee Statements and, in the event that a Notice Party has an objection to the compensation or reimbursement sought in the Fee Statement, serve upon the Retained Professional whose statement is objected to and the Notice Parties, a written “Notice of Objection to Fee Statement” setting forth the nature of the objection and the amount of fees or expenses at issue. The Monthly Compensation Order provides that at the expiration of the Objection Deadline, the Debtors shall promptly pay 80% of the undisputed fees and 100% of the undisputed expenses identified in each Fee Statement to which no objection has been served in accordance with such Monthly Compensation Order. If an objection is filed, the Debtors shall not pay the fees and/or expenses to which the objection is directed and the objection shall be resolved in accordance with such Monthly Compensation Order.

Time Keepers Related to This Fee Statement

26 Bowery:	GR – Gary O. Ravert: 36.2 Hours for a Total of	\$13,032.00
<u>2 Bowery:</u>	<u>GR – Gary O. Ravert: 29.6 Hours for a Total of</u>	<u>\$10,656.00</u>
	Total Hours/Fees	65.8 Hours
		\$23,688.00
26 Bowery: LC – Luca Cruz:	3.9 Hours for a Total of \$ 585.00	
<u>2 Bowery: LC - Luca Cruz:</u>	<u>3.9 Hours: 0 Fees:</u>	<u>\$ 585.00</u>
	Total Hours/Fees	7.8 Hours
		\$1,170.00

WHEREFORE, pursuant to the Monthly Compensation Order, Ravert PLLC requests payment of: (a) 80% of the aggregate compensation of \$24,858.00 in fees, or **\$19,886.40** in aggregate fees and **\$3,505.31** in aggregate expenses for a total payment of **\$23,391.71**.

RAVERT PLLC

Dated: August 17, 2023
New York, New York

/s/ Gary O. Ravert

By: /s/ Gary O. Ravert
16 Madison Square West, FL 12, #369
New York, New York 10010
Tel: (646) 961-4770
Fax: (917) 677-5419
gravert@ravertpllc.com

Special Litigation Counsel for the Debtors

EXHIBIT A

RAVERT PLLC

INVOICE
August 17, 2023

26 Bowery LLC
Brian Ryniker
c/o RK Consultants
156 Dubois Avenue
Sea Cliff, NY 11579

**Services: In re 26 Bowery LLC, Chapter 11 Case No. 22-10412 (MG) and 2 Bowery Holding LLC, Chapter 11 Case No. 22-10413 (MG) (Jointly Administered)
Chapter 11 Proceedings and Related Issues: 7-1-23 though 7-31-23**

26 Bowery Services

Project Category: Litigation

Timekeeper	Date	Description	Hours	Amount
GR	7/6/23	Update and finalize C. Ng fraud complaint (1.0); communications with L. DeLotto and F. Ringel regarding initial case conference in ejectment proceeding (.1).	1.1	\$396.00
GR	7/7/23	Telephone call with L. DeLotto regarding moving for default judgment and case Judge Glenn directed us to (.2); telephone call with “Anna Kam” about how we served wrong Anna Kam (.2); call with chambers regarding 7/17/23 hearing (NOT BILLED). [.4]	.4	\$144.00
GR	7/8/23	Review C. Ng transcript and modify fraud complaint accordingly (1.0); update and finalize M. Ng complaint (1.6); review M. Ng transcript and modify complaint accordingly (1.0); update and finalize M. Yong complaint (1.6); review M. Yong transcript and modify complaint accordingly (1.0);	8.8	\$3,168.00

		update and finalize A. Kam complaint (1.3); update and finalize B. Mak complaint (1.3).		
GR	7/9/23	Update and finalize Steven Ng complaint and make corresponding changes to nine other complaints (.9); update and finalize Wilson Ng complaint and make corresponding changes to nine other complaints (.8); begin civil cover sheets (.2); begin notices of dismissal pursuant to Rule 41 (.2).	2.1	\$756.00
GR	7/10/23	Draft detailed email to team outlining next steps with complaints (.2); telephone call with E. Spitzer regarding numerous issues including tenant negotiations, securing units, internet camera, etc. (.1); draft detailed email to judgment clerk regarding obtaining proper transcripts of judgment for 8 defendants (.2).	.5	\$180.00
GR	7/14/23	Draft detailed email to F. Ringel regarding topics for hearing on 7/17/23 (.4).	.4	\$144.00
GR	7/16/23	Prepare for hearing on arrest motion, continued contempt and status (.8); draft letters to county clerks for Orange, Rockland, Dutchess and Renssalaer Counties (.4); prepare checks for recording of judgments (.1); draft detailed email to F. Ringel regarding prep for hearing on 7/17/23 (.2); review county records, Department of State records and entered judgments (.2); prepare for B. Mak and A. Kam possible examination on 7/17/23 (1.4).	3.1	\$1,116.00
LC	7/16/23	Prepare multipart mailings for 8 judgments to be sent for recording (.5).	.5 @ \$150/hr	\$75.00

GR	7/17/23	Prepare for and appear at status and arrest motion hearing (1.2); pre and post hearing meeting with occupants regarding next steps and potential surrender and settlement (.5); communications with Clerk regarding transcripts of judgment and record same in NY County (half time billed: to bill .8); meeting with L. DeLotto regarding Orange County property and potential private sale of same and executing on judgments (.4).	2.9	\$1,044.00
GR	7/18/23	Urgent travel to and Orange County land record office to record transcript of judgment immediately ahead of proposed sale of judgment debtor property (NOT BILLED 3.5 hours - less than half time to bill: 2.5); conference with team regarding status and next steps (.5).	3.0	\$1,080.00
GR	7/19/23	Review service history for Clerk's certification of default of C. Ng (.4); draft request for certification of default (2.1).	2.5	\$900.00
GR	7/20/23	Draft motion for default judgment against Cody Ng (3.5); draft hearing notice for same (.4); review documentary record and assemble appropriate exhibits for C. Ng motion (.5); finalize and file Cody Ng motion for default judgment and serve same (.4).	4.8	\$1,728.00
GR	7/21/23	Create civil cover sheets and finalize and file 9 complaints (.8).	.8	\$288.00
LC	7/25/23	Make initial copy of 9 complaints and meet with copy service regarding duplication (1.6).	1.6 @ \$150/hr	\$240.00
GR	7/26/23	Draft emails to 7 defendants with service of complaint (.1); serve 9 complaints with postal service (.5).	.6	\$216.00

LC	7/26/23	Travel to and meet with copy service and prepare service of 9 complaints (1.3).	1.3 @ \$150/hr	\$195.00
GR	7/30/23	Draft detailed spreadsheet for F. Ringel and team for hearing outlining parties and tenancy information, settlement, contact etc. (.6); prepare for and take part in pre-hearing preparation call with F. Ringel, L. DeLotto and C. Yee (.6); telephone call with L. DeLotto about liabilities under contempt orders and related matters (.3).	1.5	\$540.00
GR	7/31/23	Telephone call with B. Ryniker about litigation strategy, today's hearing, securing units, and related matters (.2); draft detailed email to F. Ringel regarding matters to be raised at today's hearing (.2); telephone call with L. DeLotto regarding termination and ejectment of William Ng and others as their leases come due (.2); draft detailed email to F. Ringel regarding matters to be raised at today's hearing (.1); prepare for potential in court examination of Anna Kam including prep of subset of documents for tendering to witness (.8); working travel to court including review of hearing notes and review of Kam examination (.5); in-court prepare several documents for service on Wilson Ng, Barbara Mak, Jenny Ng, William Ng, Cody Ng, Mimin Ng and Hailey Ng (.2); prepare for and take part in hearing (.5); post-hearing meetings regarding settlement with numerous case parties (.5); post-hearing meeting with L. DeLotto, D. Koswolski, C. Yee and B. Ryniker regarding next steps (.2); review and revise	3.7	\$1,332.00

		surrogates hearing notice for service on Wilson, William and Steven at 7/31/23 hearing (.1); settlement discussion with A. Kam (.2).		
LC	7/31/23	Prepare and label 9 copies of complaints, civil cover sheet, and hearing notice for in-court personal service (.5).	.5 @ \$150/hr	\$75.00
Totals			GR: 36.2 LC: 3.9 Total:40.1	\$13,032.00 \$ 585.00 \$13,617.00

Expenses: \$1,518.04 (\$43.63 for first class service of complaints; \$26.11 copies of motions and exhibits thereto; \$80.11 car service to court with voluminous documents for service and examination of Anna Kam; \$18 for execution forms; \$583.84 property execution cost for Wilson Ng; \$583.84 property execution cost for Mimin Ng; \$18 execution form costs for Wilson Ng; \$18 execution form costs for Mimin Ng; \$16 execution copy costs; \$10 certified deeds for Mimin and Wilson Ng; \$4.90 complaint binder for chambers copy of complaints; \$94.61 for double sided chambers copies of 9 complaints; \$21.00 express mail of complaint binder to chambers)

Expenses by Category:

<u>Nature of Expense</u>	<u>Amount</u>
Priority Mail Service Charges	\$ 64.63
Copy charges	\$ 125.62
Online legal research	\$
Certified copies, recording fees, execution fees, filing fees	\$1,247.68
Deposition Travel	\$ 80.11
Process Server Charges	\$
<u>Deposition conference charges/transcripts</u>	<u>\$</u>
Total	\$1,518.04

Unbilled hours: In addition to the hours of unbilled time above, no less than 6 hours of unbilled email and telephone communications, travel to and from court and other places, review of pleadings, research, document review, and related matters.

Time per Project Category:

Litigation: GR – Gary O. Ravert:	36.2 Hours for a Total of	\$13,032.00
LC – Luca Cruz:	3.9 Hours for a Total of	\$ 585.00
Total:	40.1 Hours	\$13,617.00

Total Time Per Timekeeper:

Timekeepers: GR – Gary O. Ravert:	36.2 Hours for a Total of	\$13,032.00
LC – Luca Cruz:	3.9 Hours for a Total of	\$ 585
Total:	40.1 Hours	\$13,617.00

BILL SUMMARY

Total Fees:	\$13,617.00
Total Expenses:	\$1,518.04
Grand Total:	\$15,135.04
Less Retainer:	(0.00)
Amount Due:	\$15,135.04

Payment Info: Please make payment via or wire, Zelle, or ACH. Specific payment instructions to be provided by separate communication.

EXHIBIT B

RAVERT PLLC

INVOICE August 17, 2023

2 Bowery Holding LLC
Brian Ryniker
c/o RK Consultants
156 Dubois Avenue
Sea Cliff, NY 11579

**Services: In re 26 Bowery LLC, Chapter 11 Case No. 22-10412 (MG) and 2 Bowery Holding LLC, Chapter 11 Case No. 22-10413 (MG) (Jointly Administered)
Chapter 11 Proceedings and Related Issues: 7-1-23 though 7-31-23**

2 Bowery Services

Project Category: Litigation

Timekeeper	Date	Description	Hours	Amount
GR	7/6/23	Communications with L. DeLotto and F. Ringel regarding initial case conference in ejectment proceeding (.1).	.1	\$36.00
GR	7/7/23	Telephone call with L. DeLotto regarding moving for default judgment and case Judge Glenn directed us to (.2); call with chambers regarding 7/17/23 hearing (.1).	.3	\$108.00
GR	7/8/23	Update and finalize H. Ng complaint (1.9); review H. Ng transcript and modify complaint accordingly (1.0).	2.9	\$1,044.00
GR	7/9/23	Update and finalize Steven Ng complaint and make corresponding changes to nine other complaints (.9); update and finalize Wilson Ng complaint and make corresponding changes to nine other complaints (.9); begin civil cover sheets (.3); begin notices of dismissal pursuant	2.3	\$828.00

		to Rule 41 (.2).		
GR	7/10/23	Draft detailed email to team outlining next steps with complaints (.2); telephone call with E. Spitzer regarding numerous issues including tenant negotiations, securing units, internet camera, etc. (.4); draft detailed email to judgment clerk regarding obtaining proper transcripts of judgment for 8 defendants (.2).	.8	\$288.00
GR	7/14/23	Draft detailed email to F. Ringel regarding topics for hearing on 7/17/23 (.5).	.5	\$180.00
GR	7/16/23	Prepare for hearing on arrest motion, continued contempt and status (.4); draft letters to county clerks for Orange, Rockland, Dutchess and Renssalaer Counties (.4); prepare checks for recording of judgments (.1); draft detailed email to F. Ringel regarding prep for hearing on 7/17/23 (.2); review county records, Department of State records and entered judgments (.3); draft detailed letter to Lt Christopher Shaub regarding levying on share of Optical Shop (1.1).	2.5	\$900.00
LC	7/16/23	Prepare multipart mailings for 8 judgments to be sent for recording (.5).	.5 @ \$150/hr	\$75.00
GR	7/17/23	Prepare for and appear at status and arrest motion hearing (1.3); pre and post hearing meeting with occupants regarding next steps and potential surrender and settlement (.5); communications with Clerk regarding transcripts of judgment and record same in NY County (half time billed: to bill .8); telephone call with Orange County Rockland County Sheriff about levy on	3.1	\$1,116.00

		corporate shares of M. Yong business (.2); meeting with L. DeLotto regarding Orange County property and potential private sale of same and executing on judgments (.3).		
GR	7/18/23	Conference with team regarding status and next steps (.5); telephone call with Rockland Sheriff about levy (.3).	.8	\$288.00
GR	7/19/23	Review service history for Clerk's certification of default of M. Yong (.4); draft request for certification of default (2.1).	2.5	\$900.00
GR	7/20/23	Review Clerk's entry of default (.1); draft motion default judgment against Megne Yong (1.6); draft hearing notice for same (.4); review documentary record and assemble appropriate exhibits (.5); finalize and file M. Yong motion for default judgment and serve same (.4).	3.0	\$1,080.00
GR	7/21/23	Create civil cover sheets and finalize and file 9 complaints (.8).	.8	\$288.00
GR	7/24/23	Prepare for and telephone call with R. Lewis, incoming attorney for Megne Yong regarding background and settlement (.5); draft email to R. Lewis and F. Ringel regarding same (.1).	.6	\$216.00
LC	7/25/23	Make initial copy of 9 complaints and meet with copy service regarding duplication (1.7).	1.7 @ \$150/hr	\$255.00
GR	7/26/23	Telephone call with R. Lewis regarding settlement (.1); communications with R. Lewis regarding service on M. Yong (.1); draft emails to 7 defendants with service of complaint (.1); serve 9 complaints with postal service (.5).	1.2	\$432.00

LC	7/26/23	Meet with copy service and prepare service of 9 complaints (1.2).	1.2 @ \$150/hr	\$180.00
GR	7/27/23	Communications with L. DeLotto regarding surrender and consent judgment of possession (.4); draft two forms of surrender agreements for M. Yong for commercial space at 2 Bowery (.8); draft consent to judgment for M. Yong (1.4).	2.6	\$936.00
GR	7/30/23	Draft detailed spreadsheet for F. Ringel and team for hearing outlining parties and tenancy information, settlement, contact etc. (.6); prepare for and take part in pre-hearing preparation call with F. Ringel, L. DeLotto and C. Yee (.7); telephone call with L. DeLotto about liabilities under contempt orders and related matters (.2).	1.5	\$540.00
GR	7/31/23	Telephone call with B. Ryniker about litigation strategy, today's hearing, securing units, and related matters (.3); draft detailed email to F. Ringel regarding matters to be raised at today's hearing (.1); telephone call with L. DeLotto regarding termination and ejectment of William Ng and others as their leases come due (.2); review draft lease termination letter sent to William Ng (.2); draft email to entire team regarding settlement strategy with Megne Yong (.3) telephone call with D. Koswolski regarding same (.2); draft detailed email to F. Ringel regarding matters to be raised at today's hearing (.2) prepare for potential in court examination of Anna Kam including prep of subset of documents for tendering to witness (.8); meet with R. Lewis counsel to M. Yong pre-hearing to discuss settlement (.2); in-court prepare several documents for service on	4.1	\$1476.00

		Wilson Ng, Barbara Mak, Jenny Ng, William Ng, Cody Ng, Mimin Ng and Hailey Ng (.2); prepare for and take part in hearing (.5); post-hearing meetings regarding settlement with numerous case parties (.5); post-hearing meeting with L. DeLotto, D. Koswolski, C. Yee and B. Ryniker regarding next steps (.2); review and revise surrogates hearing notice for service on Wilson, William and Steven at 7/31/23 hearing (.2).		
LC	7/31/23	Prepare and label 9 copies of complaints, civil cover sheet, and hearing notice for in-court personal service (.5).	.5 @ \$150/hr	\$75.00
Totals			GR: 29.6 LC: 3.9 Total: 33.5	\$10,656.00 \$. 585.00 \$11,241.00

Expenses: \$1,987.27 (\$43.63 for first class service of complaints; \$26.11 copies of motions and exhibits thereto; \$4.90 complaint binder for chambers copy of complaints; \$94.61 for double sided chambers copies of 9 complaints; \$1,565.27 William Ng transcript fee; \$231.75 service of M. Yong with complaint; \$21.00 express mail of complaint binder to chambers).

Expenses by Category:

Nature of Expense	Amount
Priority Mail Service Charges	\$ 64.63
Copy charges	\$ 125.62
Online legal research	\$ 0
Certified copies, recording fees, filing fees	\$ 0
Deposition Travel	\$ 0
Process Server Charges	\$ 231.75
<u>Deposition conference charges/transcripts</u>	<u>\$1,565.27</u>
Total	\$1,987.27

Unbilled hours: In addition to the hours of unbilled time above, no less than 8 hours of unbilled email and telephone communications, travel to and from court and other places, review of pleadings, research, document review, and related matters.

Time per Project Category:

Litigation:	GR – Gary O. Ravert:	29.6	Hours for a Total of	\$10,656.00
	LC – Luca Cruz:	3.9	Hours for a Total of	<u>\$585.00</u>
Total		33.5 Hours		\$11,241.00

Total Time Per Timekeeper:

Timekeepers:	GR – Gary O. Ravert:	29.6	Hours for a Total of	\$10,656.00
	LC – Luca Cruz:	3.9.	Hours for a Total of	<u>\$585.00</u>
Total		33.5 Hours		\$11,241.00

BILL SUMMARY

Total Fees:	\$11,241.00
Total Expenses:	\$1,987.27
Grand Total:	\$13,228.27
Less Retainer:	(0.00)
Amount Due:	\$13,228.27

Payment Info: Please make payment via or wire, Zelle, or ACH. Specific payment instructions to be provided by separate communication.